

April 14 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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**FILED**

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**JUDICIAL STANDARDS COMMISSION  
STATE OF MONTANA**

INQUIRY CONCERNING	)	JSC File No. 10-022
COMPLAINT OF:	)	PR No. <i>PR 10-0181</i>
	)	
JUDICIAL STANDARDS	)	<b>FORMAL COMPLAINT</b>
COMMISSION,	)	
	)	
Complainant,	)	
vs.	)	
	)	
GAYLE STAHL,	)	
	)	
Respondent.	)	
-----	)	

COMES NOW Jon A. Oldenburg, Prosecuting Attorney appointed by the  
Judicial Standards Commission of the State of Montana, and on behalf of the  
Complainant does hereby make formal complaint against the Respondent Gayle  
Stahl, a judicial officer of the State of Montana, as follows:

1. Respondent is the duly elected and acting Phillips County Justice of the

Peace.

2. Pursuant to Mont. Code Ann. Section 3-10-202, Respondent took the Montana Constitutional oath of office and the oath was filed with the Phillips County Clerk and Recorder.

3. On or about March 15, 2010, Respondent plead guilty to a misdemeanor charge of driving under the influence of alcohol. Her plea was the subject of press coverage and made public.

4. In committing this crime, the Respondent has violated Rules 1.1 and 1.2 of Canon 1 of the Montana Code of Judicial Conduct. Those rules read as follows:

#### CANON I

A JUDGE SHALL UPHOLD AND PROMOTE THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY, AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY.

##### RULE 1.1

##### *Compliance with the Law*

A judge shall comply with the law,\* including the Code of Judicial Conduct.

##### RULE 1.2

##### *Promoting Confidence in the Judiciary*

A judge shall act at all times in a manner that promotes public confidence in the independence,\* integrity,\* and impartiality\* of the judiciary, and shall

avoid impropriety\* and the appearance of impropriety.

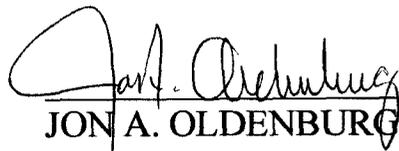
5. That on or about March 19, 2009, the Respondent reported to her office while under the influence of alcohol. This resulted in a report to the Commission and on December 2, 2009, the Respondent received a written admonition from the Commission and was advised that:

“any further incidents brought to our attention and involving alcohol will result in the filing of a formal complaint against you with the Montana Supreme Court, along with the Commissions’ recommendation that you be removed from office if the allegations are proven true”.

The Respondent has now plead guilty to driving under the influence of alcohol.

6. Respondent’s actions as set forth above should be appropriately disciplined in accordance with the Rules of the Judicial Standards Commission of the State of Montana.

DATED this 9<sup>th</sup> day of April, 2010.

  
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JON A. OLDENBURG  
Prosecuting Attorney